

United States District Court
for the
Southern District of Florida

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|---------------------------------|---|-------------------------------------|
| Michelle Maupin, Plaintiff, |) | |
| |) | |
| v. |) | Civil Action No. 23-21392-Civ-Scola |
| |) | |
| The School Board of Miami-Dade |) | |
| County, and others, Defendants. |) | |

**Order Adopting Report and Recommendations on Defendants’
Motions to Dismiss, Plaintiff’s Motions for Leave to File Sur-replies,
and Plaintiff’s Motion for Leave to File a Third Amended Complaint**

This matter is before the Court on various motions filed by the parties: Defendants’ motions to dismiss (ECF Nos. 48, 56), Plaintiff’s motions for leave to file sur-replies in opposition to the Defendants’ motions to dismiss (ECF No. 58, 61), and the Plaintiff’s motion for leave to file a third amended complaint. (ECF No. 66.) This case has been referred to United States Magistrate Judge Lauren F. Louis for a ruling on all pre-trial, non-dispositive matters and for a report and recommendations on any dispositive matters consistent with 28 U.S.C. § 636 and Local Magistrate Judge Rule 1. (ECF No. 65.)

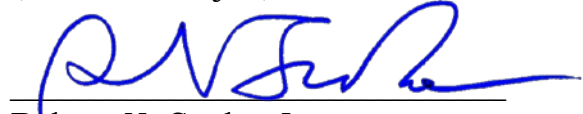
Judge Louis issued a report, recommending that the Court grant the Plaintiff’s motion for leave to file a third amended complaint (ECF No. 66), deny as moot the Defendants’ motions to dismiss (ECF Nos. 48, 56), deny as moot Plaintiff’s motions for leave to file sur-replies in opposition to the motions to dismiss (ECF Nos. 58, 61), and order the Plaintiff to file the third amended complaint within three days. (Rep. & Rec., ECF No. 70.) None of the parties objected to the report and recommendations, and the time to do so has passed.

A district court judge must conduct a de novo review of only “those portions of the report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636. Where no objections are made, a report may be adopted in full without conducting a de novo review, provided no plain error exists. *See id.*; *Menendez v. Naples Cmty. Hosp. Inc.*, No. 2:20-CV-898-SPC-MRM, 2021 U.S. Dist. LEXIS 215317, 2021 WL 5178496, at *1 (M.D. Fla. Nov. 8, 2021) (collecting cases).

The Court has considered Judge Louis’s report, the record, and the relevant legal authorities. The Court finds Judge Louis’s report and recommendations cogent and compelling. The Court **affirms** and **adopts** Judge Louis’s report and recommendations (**ECF No. 70**). Accordingly, the Court **grants** Plaintiff’s motion for leave to file a third amended complaint. (**ECF No.**

66.) The Plaintiff's third amended complaint must be filed on or before **February 6, 2025**. The Court **denies as moot** the Defendants' motions to dismiss (**ECF Nos. 48, 56**) and **denies as moot** the Plaintiff's motions for leave to file sur-replies in opposition to the motions to dismiss. (**ECF Nos. 58, 61.**)

Done and ordered, in Miami, Florida, on February 3, 2025.

A handwritten signature in blue ink, appearing to read 'R. N. Scola, Jr.', is written over a horizontal line.

Robert N. Scola, Jr.
United States District Judge